

*In re Esban et al.*  
Application No. 10/051,044

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### REMARKS

Claims 18-21 are hereby cancelled, without prejudice or disclaimer. New claims 24-30, which are directed to particular aspects of Applicants' invention that are particularly aligned with the Assignee's current business priorities, are added so as to redirect prosecution of this application. Claim 17 is for similar reasons amended such that it is directed to a method of increasing expression of at least one gene in the CCN gene family in a cell (e.g., in the cells of a mammal, such as a human) and detecting the increased expression of the at least one gene by contacting of cells (*in vivo*, *in vitro*, or otherwise) with FVIIa. New claims 24-30 are supported by the originally filed specification and claims. No new matter is added by the claim amendments.

The Office Action rejected claims 17 and 18 under 35 USC § 102(b) ("Section 102(b)") as allegedly anticipated by Taniguchi et al., *Cancer Res.* (1998) 58:4461-4467. The Office Action also rejected claims 17-18 and 21-23 under Section 102(b) as allegedly anticipated by Pendurthi et al., *Proc. Natl. Acad. Sci. (USA)* (1997) 94:12598-12603. While not conceding that these allegations are correct, Applicants respectfully submit that these rejections have been rendered moot by the present claim amendments. Accordingly, the issue of whether these rejections were correct need not be addressed here.

The Office Action rejected claims 17-23 under 35 USC §112, 1<sup>st</sup> ¶, for allegedly encompassing nonenabled subject matter. Applicants submit that these rejections are likewise rendered moot by the current claim amendments and, accordingly, need not be further addressed herein (e.g., in terms of whether such rejections are appropriate).

The Office Action raised objections to claims 18-20, particularly regarding the use of certain abbreviations. Applicants believe that the claims pending upon entry of the present amendment are free of such formality issues.

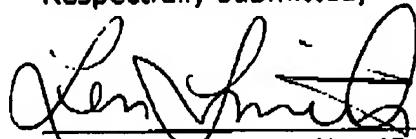
In view of the above, it is respectfully submitted that all claims are in condition for allowance. Early action to that end is respectfully requested. The Commissioner is hereby authorized to charge any fees in connection with this application and to credit

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any overpayments to Deposit Account No. 14-1447. The Examiner is invited to contact the undersigned by telephone if there are any questions concerning this amendment or application.

Respectfully submitted,



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Date: September 23, 2004

Please use the following customer number for all correspondence regarding this application.

\*23650\*

PATENT TRADEMARK OFFICE